

REMARKS

Claims 1, 5, 10, 22-25, 27, 29, and 32-33 have been amended to clarify the subject matter regarded as the invention. Claims 1, 5-11, 13, and 16-33 are pending.

Claim Rejections – 35 U.S.C. §101

Claims 1, 5-11, 13, and 16-28 been amended in a manner that is believed to overcome the rejection under 35 U.S.C. §101. Specifically, independent claim 1 has been amended to recite a method that is tied to “a switch.” Support of the amendment may be found, as an example and without limitation, at p. 7, ll. 1-14 and Figure 2 of the application as-filed. As such, claim 1 and claims 5-11, 13, 16-28 that depend therefrom, fall within one of the four statutory categories of invention.

Claim Rejections – 35 U.S.C. §112

Claims 1, 5-11, 13, and 16-33 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The claims have been amended in a manner that is believed to overcome the rejection under 35 U.S.C. §112. Support of the amendments may be found, as an example and without limitation, at p. 7, ll. 1-14, p. 9, ll. 1-8, and Figure 2 of the application as-filed. Furthermore, claims 10, 32, and 33 have also been amended to overcome the rejection.

Claims 1, 5-11, 13, 16-28 stand rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps, such omission amount to a gap between the steps. Amended independent claim 1 recites the essential steps that the Examiner regarded as allegedly omitted.

Claims 29-33 stand rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. Amended independent claim 29 recites the essential cooperative relationships of elements that the Examiner regarded as allegedly omitted.

Hence, Applicants respectfully submit that the rejection of independent claims 1 and 29 and claims 5-11, 13, 16-28, 30-33 that depend therefrom under 35 U.S.C. §112, second paragraph be withdrawn.

Claim Rejections – 35 U.S.C. §103

Claims 1, 5, 6, 7, 13, 22-24, 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas (US 6138020), in view of McGuire (US 20030097360), and in further view of Williams (US 20030055877).

Claims 8, 9, 10, and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Albert (US 20020141401).

Claim 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Simelius (US 20040001474).

Claim 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Kaneko (US 20040193895).

Claim 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Coile (US 6104717).

Claim 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Herkerdorf (US 20040146044).

Claim 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Maturana (US 20020035681).

Claim 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Murakami (US 7203757).

Claims 25 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and in view of Chang (US 7249347), and further in view of Banker (US 20030156552).

Claim 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Lee (US 6785245).

Claims 27, 28, and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaylas, in view of McGuire, and in view of Williams, and further in view of Dowling (US 6636499).

With respect to amended independent claims 1 and 29, support of the amendments may be found, as examples and without limitation, at p. 7, ll. 1-14, p. 9, ll. 1-8, and Figure 2 of the application as-filed

Neither Gaylas, nor McGuire, nor Williams, either singly or in combination, teaches the method as recited in claim 1 or the system as recited in claim 29.

Specifically, Gaylas does not teach a virtual machine at all. While McGuire or Williams teaches Java virtual machines, neither reference teaches segmented VMs comprising a shell VM, wherein the shell VM and the core VM each perform some but not all functions of the segmented VM.

Further, none of the references teaches establishing a first connection between an external application and the shell VM via a switch to transfer information between the external application and the core VM via the switch, the shell VM, and a communication link between the shell VM and the core VM.

Additionally, none of the references teaches establishing a second connection between the shell VM and the core VM via the switch such that the information between the external application and the core VM is transferred via the shell VM, the switch, and the second connection instead of the communication link.

What is more, none of the references teaches using the switch to stitch a portion of the first connection between the external application and the switch and a portion of the second connection between the switch and the core VM to redirect the information between the external application and the core VM, wherein the switch transfers data via the portion of the first connection and the portion of the second connection, thereby bypassing the shell VM.

As such, claims 1 and 29 are believed to be allowable.


Claims 5-11, 13, and 16-28 depend from claim 1 and claims 30-33 depend from claim 29. They are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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